

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, Foley Square, in the City of New York, on the 1st day of October, two thousand and four,

JALIL ABDUL MUNTAQIM,
a/k/a Anthony Bottom,

Plaintiff-Appellant,

v.

PHILLIP COOMBE; ANTHONY
ANNUCCI; LOUIS F. MANN,

Defendant-Appellee.

01-7260

At the request of a judge, the court *sua sponte* conducted a poll as to whether to rehear this case *in banc*. The suggestion did not garner support from a majority of the active judges on the court, and has therefore failed.

FOR THE COURT:
Roseann B. MacKechnie, Clerk

By: Richard Alcantara, Deputy Clerk